



67010-080

JFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application No.: 10/705,582      Patent No.: 6,971,607  
Filing Date: 11/10/2003      Issue Date: 12/06/2005  
Applicant: McColgan et al.      Group Unit: 3643  
Attorney Docket: 67010-080      Examiner: Swiatek, Robert P.  
For: AIRCRAFT AIR CONDITIONING SYSTEM MIXER WITH CORRUGATIONS

CERTIFICATES OF CORRECTION BRANCH  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION**

Dear Sir:

In response to the Communication mailed on January 12, 2006, of which a copy is enclosed, Applicant respectfully states the following:

In the Notice of Allowability, mailed on October 18, 2005, an Examiner's Amendment was attached, of which a copy is enclosed. Claim 1 and Claim 8 of the issued patent were amended in the Examiner's Amendment to read as follows:

1. (Currently Amended) An aircraft air conditioning system mixer comprising:  
a first tube having a passage extending between an inlet and an outlet; and  
a second tube at least partially surrounding said first tube forming a cavity, said first tube having a circumferential corrugation in said first tube forming at least one lobe fluidly connecting said first tube and said cavity, said corrugation sloping toward said outlet and providing an opening facing said outlet, and an exit tube fluidly connected to said passage between said inlet and said outlet.

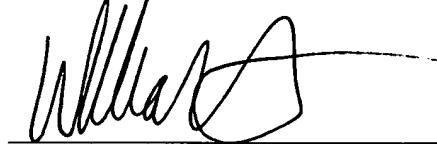
8. (Currently Amended) An aircraft air conditioning system mixer comprising:  
a first tube having a passage extending between an inlet and an outlet; and  
a second tube at least partially surrounding said first tube forming a cavity, said first tube having a circumferential corrugation in said first tube forming at least one lobe fluidly connecting said first tube and said cavity, wherein multiple lobes are arranged about a circumference of said first tube with said lobes fluidly connecting said cavity and said passage,  
and an exit tube fluidly connected to said passage between said inlet and said outlet, and wherein said lobes comprise peaks and valleys defined by a sloped wall sloping from an inlet side toward an outlet side.

Therefore, it is respectfully requested that the previously requested Certificate of Correction be issued, as the issued claim is NOT printed in accordance with the record.

Consideration is respectfully requested.

**Respectfully submitted,**

**CARLSON, GASKEY & OLDS, P.C.**



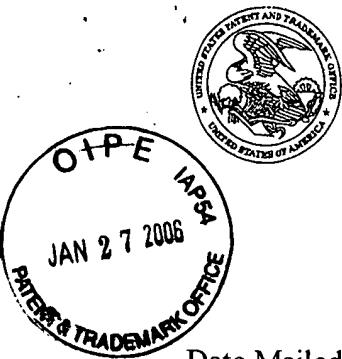
William S. Gottschalk  
Reg. No. 44,130  
400 West Maple Road, Suite 350  
Birmingham, Michigan 48304  
(248) 988-8360

Date: January 25, 2006

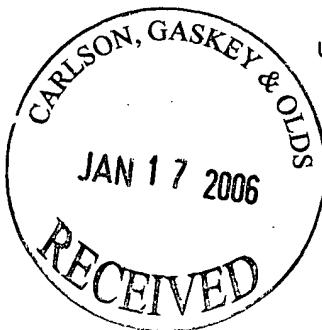
**CERTIFICATE OF MAILING**

I hereby certify that this document is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 25, 2006.

  
Lindsey Fortney



UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

Date Mailed : January 12, 2006

Patent No. : 6,971,607 ✓

Inventor : McColgan et al

Patent Issued : December 6, 2005

Title : AIRCRAFT AIR CONDITIONER SYSTEM MIXER WITH  
CORRUGATIONS

Docket No. : 67,010-080/H2723-EC ✓  
K56

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent under the provisions of Rule 1.322.

Inspection of the file of the application for the patent reveals that claims 1 and 8 of the specification is/are printed in accordance with the record in the Patent and Trademark Office, as passed to issue by the examiner. There being no fault on the part of the Patent and Trademark Office, it has no authority to issue a certificate of correction under the provision of 1.322.

In view of the foregoing, your request for certificate of correction is hereby denied. However, further consideration will be given these matters, upon receipt of a request for certificate of correction under the provisions of 1.323, accompanied by the appropriate fee which is presently \$100.

Future correspondence concerning this matter should be filed and directed to Decisions & Certificates of Correction Branch.

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attn: Certificates of Correction Branch

David Irvine  
Cecilia Newman, Supervisor  
Decisions & Certificates of Correction Branch  
703/308-9590 or 703/305-4362 (Fax 703/308-6672)

**William S. Gottschalk  
Carlson Gaskey & Olds PC  
400 West Maple Road – Suite 350  
Birmingham, Mi. 48304**

**CBN/ di**

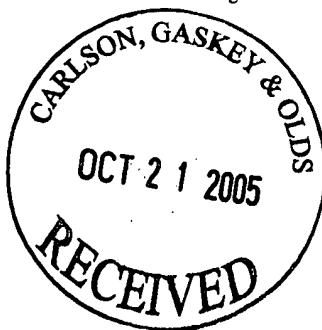
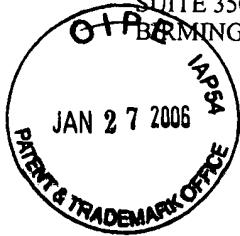


# UNITED STATES PATENT AND TRADEMARK OFFICE

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[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,582 ✓	11/10/2003 ✓	Charles J. McColgan	67,010-080/H2723-EC <i>MCS</i>	4290

26096 7590 10/18/2005  
CARLSON, GASKEY & OLDS, P.C.  
400 WEST MAPLE ROAD  
SUITE 350  
BIRMINGHAM, MI 48009

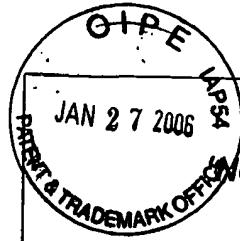


EXAMINER	
SWIATEK, ROBERT P	
ART UNIT	PAPER NUMBER

3643

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



JAN 27 2006

**Notice of Allowability**

Application No.

10/705,582

Examiner

Robert P. Swiatek

Applicant(s)

MCCOLGAN ET AL.

Art Unit

3643

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to telephone interview 24 August 2005.
2.  The allowed claim(s) is/are 1-12.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some\*    c)  None    of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
    1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.  
(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
    Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
    Paper No./Mail Date 2-18-05; 3-4-05
4.  Examiner's Comment Regarding Requirement for Deposit  
    of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
    Paper No./Mail Date 8-24-05
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

ROBERT P. SWIATEK  
PRIMARY EXAMINER  
ART UNIT 3643  
3643

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. William S. Gottschalk on 24 August 2005.

The application has been amended as follows: In claim 1, line 6, the phrase -, and an exit tube fluidly connected to said passage between said inlet and said outlet- has been inserted between "outlet" and the period; in claim 8, line 7, the phrase -, and an exit tube fluidly connected to said passage between said inlet and said outlet- has been inserted between "passage" and the comma.

This case is being passed to issue with allowed claims 1-3, 5, 6, 4, 7-12, renumbered as claims 1-12.

RPS: Q571/272-6894

4 October 2005

*Robert P. Swiatek*  
ROBERT P. SWIATEK  
PRIMARY EXAMINER  
ART UNIT 320 3643

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/705,582	MCCOLGAN ET AL.
	<b>Examiner</b> Robert P. Swiatek	<b>Art Unit</b> 3643

**All Participants:**

(1) Robert P. Swiatek.

(2) Mr. William S. Gottschalk.

**Date of Interview:** 23, 24 August 2005



**Status of Application:** Allowed

(3) \_\_\_\_\_.

(4) \_\_\_\_\_.

**Time:** \_\_\_\_\_

**Type of Interview:**

- Telephonic  
 Video Conference  
 Personal (Copy given to:  Applicant  Applicant's representative)

**Exhibit Shown or Demonstrated:**  Yes  No

If Yes, provide a brief description:

**Part I.**

**Rejection(s) discussed:**

Possible 35 USC 102(b)

**Claims discussed:**

1, 8

**Prior art documents discussed:**

Reese et al. (EP 0 326 950); Army Jr. et al. (US 5,133,194)

**Part II.**

**SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:**

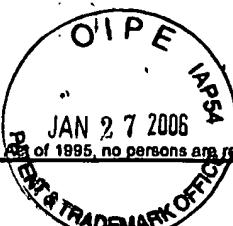
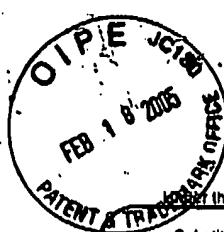
Applicants' representative authorized amendments to claims 1, 8 in order to differentiate them over the prior art. See examiner's amendment.

**Part III.**

- It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
 It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)



**Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.**

**Substitute for form 1449/PTO**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

Sheet 1 of 2

***Complete if Known***

Application Number	10/705,582
Filing Date	November 10, 2003
First Named Inventor	McColgan
Art Unit	3643
Examiner Name	Swiatek, Robert
Attorney Docket Number	67010-080:H2723-E

U. S. PATENT DOCUMENTS

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)				
RRS		GB 671 567 A	05-07-1952	Garrett Corp.		
RPS		WO 02/066324 A	08-29-2002	United Technologies		
RPS		EP 0 326 950 A	08-09-1989	Tempmaster Corp.		

**Examiner  
Signature**

Robert P. Swiatek

Date  
Considered

8-13-05

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup>Applicant's unique citation designation number (optional). <sup>3</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 801.04. <sup>4</sup>Enter Office that issued the document, by the two-letter code (WIPO ST.3). <sup>5</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup>Kind of Standard document. <sup>7</sup>For the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>8</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Please type a plus sign (+) inside this box →

PTO/SB/08B (08-00)

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## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(use as many sheets as necessary)*

Sheet 2 of 2 Attorney Docket Number 67,010-080/H2723-EC

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**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T?
RPS	PCT International Search Report, dated January 12, 2005	

Examiner Signature	Robert P. Sviratch	Date Considered	8-23-05
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of 1

**Complete if Known**

Application Number	10/705,582
Filing Date	November 10, 2003
First Named Inventor	McColgan
Art Unit	3643
Examiner Name	Swiatek, Robert
Attorney Docket Number	67010-080:H2723-EC

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
RPS		US- 3,409,274	11/1968	Lawton Carl W.	
RPS		US- 2003/0080244	05/2003	Dionne, Luc	
RPS		US- 2002/0092948	07/2002	Dugan, John J.	
RPS		US- 6,308,914	10/2001	Spurway et al.	
RPS		US- 3,974,646	08/1976	Markowski et al.	
RPS		US- 3,749,336	07/1973	Christensen et al.	
RPS		US- 6,389,826	05/2002	Buchholz et al.	
RPS		US- 5,127,878	07/1992	Meckler, Gershon	
RPS		US- 3,929,285	12/1975	Daugherty, Jr. Carl	
RPS		US- 6,767,007	07/2004	Luman, Homer C.	
RPS		US- 6,726,354	04/2004	Breuer et al.	
RPS		US- 4,625,916	12/1986	Nieuwkamp et al.	
RPS		US- 4,330,082	05/1982	Wilson, Wilfred w.	
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>2</sup> "Number <sup>3</sup> " Kind Code <sup>4</sup> (if known)				
RPS		FR 2 599 437	12/04/1987	Roy		
RPS		WO 01/11292	02/15/2001	Resaro AB		
RPS		Search Rpt. PCT/US2004/030941				

Examiner Signature	Date Considered
Robert P. Swiatek	8-23-05

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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